

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LEA MOQUETE, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

GNC HOLDINGS, LLC, a Foreign Limited
Liability Company, and **DOES 1-10**, inclusive,

Defendant.

CASE NO. 3:24-cv-05393-BHS

**ORDER GRANTING STIPULATED
MOTION FOR LEAVE TO FILE
FIRST AMENDED COMPLAINT**

1 The Court, having reviewed the Parties' Stipulated Motion For Leave To File First
2 Amended Complaint, **HEREBY ORDERS** as follows:

3 1. The Stipulated Motion For Leave To File First Amended Complaint is
4 **GRANTED**;

5 2. Plaintiff's individual and class claims for (1) alleged failure to provide meal
6 periods and rest periods and alleged failure to compensate for missed, late, and/or interrupted
7 meal and rest periods pursuant to WAC 296-126-092; (2) alleged failure to pay overtime wages
8 pursuant to the Washington Minimum Wage Act ("WMWA"); and (3) double damages pursuant
9 to RCW 49.52 *et seq.* are hereby dismissed without prejudice and without a separate award of
10 costs and attorneys' fees; and.

11 3. Plaintiff shall have leave to file the proposed First Amended Complaint attached
12 to the Parties' Stipulated Motion as **Exhibit 1**. Plaintiff shall promptly file the First Amended
13 Complaint as its own, separate docket entry.

14 **IT IS SO ORDERED.**

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16 DATED this 1st day of July, 2024.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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